—	
Docket No.	



COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, <u> /ISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION</u>

As a below named inventor, I hereby declare that:

PHING

·
My residence, post office address and citizenship are as stated below next to my name,
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PORTABLE ELECTRONIC APPARATUS, IMAGE PROCESSING METHOD, PHOTOGRAMA APPARATUS, AND COMPUTER READABLE RECORDING MEDIUM
the specification of which
a. [] is attached hereto April 29, 09/069,419 b. [X] was filed on 1998 as application Serial No and was amended on (if applicable).
PCT FILED APPLICATION ENTERING NATIONAL STAGE
c. [] was described and claimed in International Application No filed on and as amended on (if any).
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).
I hereby specify the following as the correspondence address to which all communications about this application are to be directed:
SEND CORRESPONDENCE TO: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, N.Y. 10154
DIRECT TELEPHONE CALLS TO: Michael M. Murray (212) 758-4800
[X] I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that

of the application on which priority is claimed:

[X] The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

Docket No.	•

Country/PCT	Application Number	Date of filing (day, month, yr)	Date of issue (day, month, yr)	Priority <u>Claimed</u>
JAPAN	9-112806	30 April 1997		[X] YES [] NO
				[]YES[]NO
				[] YES [] NO
[] I hereby c	laim the benefit u	nder 35 U.S.C. § 119(e)	of any U.S. provisional a	pplication(s) listed below.
Pro	ovisional Applicat	ion No.	Date of filing (day, m	onth, yr)
ADDITIO	NAL STATEMEN OR PCT INT	ITS FOR DIVISIONAL, (ERNATIONAL APPLICA	CONTINUATION OR CONTINUATION O	ONTINUATION-IN-PART G THE U.S.)
I hereby clain § 365(c) of an	n the benefit under ny PCT internation	Title 35, United States C nal application(s) designati	Code § 120 of any Uniteding the U.S. listed below.	States application(s) or under
US/PCT App	lication Serial No.	Filing Date,	Status (patent U.S. applicat	ted, pending, abandoned)/ ion no. assigned (For PCT)
US/PCT App	lication Serial No.	Filing Date,	Status (patent U.S. applicat	ted, pending, abandoned)/ ion no. assigned (For PCT)
application is manner providisclose mater between the fapplication.	not disclosed in to ded by the first pa rial information as iling date of the p	rior application(s) and the	ed States or PCT internation of States Code, § 112, I are of Federal Regulations, national or PCT internat	scknowledge the duty to \$ 1.56(a) which occurred ional filing date of this
information a that willful fa 1001 of Title	nd belief are belie	eved to be true; and further I the like so made are pun States Code and that such	r that these statements we ishable by fine or Impriso	d that all statements made on ere made with the knowledge onment, or both, under Section hay jeopardize the validity of
prosecute this	s application, to represent to the second	Diaz (Reg. No. 19,550).	ransact all business in the John C. Vassil (Reg. No. 9,825), Harry C. Marcus	tion and revocation, to Patent and Trademark Office 19,098), Alfred P. Ewert (Reg. No. 22,390), Robert E.

Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728),

Docket	No.	•	•

Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C. H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael A. Nicodema (Reg. No. 33,199), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537) and Mark J. Abate (Reg. No. 32,527) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York 10154; and Edward A. Pennington (Reg. No. 32,588) of Morgan & Finnegan, L.L.P., whose address is: 1299 Pennsylvania Avenue, N.W., Suite 960, Washington, D.C. 20004.

[X] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept an instructions from	
as to any action to be taken in the U.S. Patent and Trade	emark Office
regarding this application without direct communication between the U.S. attorneys me. In the event of a change in the person(s) from whom instructions may be take U.S. attorneys and/or agents named hereinabove.	and/or agents and
Full name of sole or first inventor SHIGEO YOSHIDA	
Inventor's signature* 1-45, Eda Nishi 5-chome, Aoba-ku, date	
Inventor's signature* Mlg. Your	
1-45, Eda Nishi 5-chome, Aoba-ku, date	ly 8, 1998
Residence Yokohama-shi, Kanagawa-ken, Japan	ry ,
Citizenship JAPAN c/o Canon Kabushiki Kaisha	vo Janan
Post Office Address 30-2, Shimomaruko 3-chome, Ohta-ku, Tok	yo, Japan
Full name of second joint inventor, if any	
Inventor's signature* date	
Residence	
Citizenship	
•	
Post Office Address	

- [] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.
- * Before signing this declaration, each person signing must:
 - 1. Review the declaration and verify the correctness of all information therein; and
 - Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

	•
Docket No.	

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty to disclose information material to patentability

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - prior art cited in search reports of a foreign patent office in a counterpart application, (1) and
 - the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

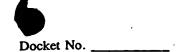
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or



- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
 - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

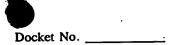
The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this





country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code, § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM: COMB-DEC.NY

Rev. 1/22/98